

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

SHERMAN DIVISION

DATE: 4/8/2022

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Chris Bickham
COURTROOM DEPUTY: Keary Conrad

United States of America	
v.	4:20-CR-358
Neeraj Jindal and John Rodgers	

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANT
Matthew Lunder, Jariel Rendell, Spencer Smith, and Rachel Kroll Special Agent: Jeff Pollack	Jennifer McCoy, Paul Coggins and Brian Poe Defendants: Neeraj Jindal and John Rodgers

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Jury Trial - Day 5
8:52 a.m.	Court in session. Court notes appearance of the Parties.
8:52 a.m.	Court hears from Jindals' counsel, Paul Coggins regarding Jencks and Brady violations. Court hears response from Government AUSA Matthew Lunder. Jindals' counsel advises that they will file a motion over the weekend.
8:57 a.m.	Court hears from Government AUSA Matthew Lunder advises the Court that AUSA Spencer Smith will take the first witness. Government AUSA Matthew Lunder advises that they will call Special Agent Pollack.
8:59 a.m.	Court hears from Government AUSA Rachel Kroll regarding character witness.
9:01 a.m.	Court hears from Government AUSA Jariel Rendell regarding non prosecution agreement of Defendant Rodgers. Court hears response from Defendant Rodgers' counsel, Brian Poe.
9:06 a.m.	Jury seated.
9:07 a.m.	Government AUSA Spencer Smith calls witness, Angie Sudduth. Witness placed under oath. Government AUSA Spencer Smith begins direct examination of Angie Sudduth.
9:14 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibit 89.
9:16 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibit 21A.
9:21 a.m.	Government AUSA Spencer Smith moves to admit Government Exhibit 22. No objection. Government Exhibit 22 admitted.

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9:23 a.m.	Government AUSA Spencer Smith moves to admit Government Exhibit 25. No objection. Government Exhibit 25 admitted.
9:24 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibit 21A.
9:26 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibit 21B.
9:27 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibit 15.
9:30 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibit 18.
9:31 a.m.	Pass the witness. Defendant Rodgers' counsel, Brian Poe begins cross examination of witness, Angie Sudduth.
9:37 a.m.	Defendant Rodgers' counsel, Brian Poe refers witness, Angie Sudduth to Government Exhibit 89.
9:42 a.m.	Pass the witness. Defendant Jindals' counsel, Jennifer McCoy begins cross examination.
9:57 a.m.	Defendant Jindals' counsel, Jennifer McCoy refers witness, Angie Sudduth to Government Exhibit 21B.
10:11 a.m.	Defendant Jindals' counsel, Jennifer McCoy refers witness, Angie Sudduth to Defendant Jindals' Exhibit 52. Defendant Jindals' counsel, Jennifer McCoy moves to admit Defendant Jindals' Exhibit 52. Government AUSA Spencer Smith objection that the metadata of the document shows modified in December 2020 by the Defendant. Court hears argument from counsel. Bench conference.
10:14 a.m.	Jury excused for morning break.
10:15 a.m.	Court hears argument from Government AUSA Jariel Rendell. Court hears response from Defendant Jindals' counsel, Jennifer McCoy. Court sustains the Government's objection. Defendant Jindals' Exhibit 52 is not admitted.
10:16 a.m.	Court recess for 15 minutes.
10:33 a.m.	Court re-convened. Jury seated. Court sustained the Governments objection to Defendant Jindals' Exhibit 52. Defendant Jindals' counsel, Jennifer McCoy continues cross examination of witness, Angie Sudduth.
10:44 a.m.	Pass the witness. Government AUSA Spencer Smith begins re-direct examination of witness, Angie Sudduth.
10:45 a.m.	Government AUSA Spencer Smith refers witness, Angie Sudduth to Government Exhibits 64 and 89.
10:47 a.m.	Pass the witness. Defendant Rodgers' counsel, Brian Poe begins re-cross examination of witness, Angie Sudduth.

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10:49 a.m.	Pass the witness.
10:49 a.m.	Defendant Jindals' counsel, Jennifer McCoy begins re-cross examination of witness, Angie Sudduth.
10:50 a.m.	Pass the witness. Government AUSA Spencer Smith begins further re-direct examination of witness, Angie Sudduth.
10:51 a.m.	Pass the witness. Court polls the jury for questions of the witness. Bench conference.
10:54 a.m.	Court asks questions of the witness from the jury.
10:55 a.m.	Witness excused today but subject to recall.
10:56 a.m.	Government AUSA Rachel Kroll calls Linda Thomas. Witness placed under oath. Government AUSA Rachel Kroll begins direct examination of witness, Linda Thomas.
11:05 a.m.	Government AUSA Rachel Kroll moves to admit Government Exhibits 49 and 50. No objection. Government Exhibits 49 and 50 are admitted.
11:14 a.m.	Government AUSA Rachel Kroll moves to admit Government Exhibits 51, 52, 53A, 53B,54. No objection. Government Exhibits 51, 52, 53A, 53B,54 are admitted.
11:24 a.m.	Pass the witness.
11:25 a.m.	Defendant Jindals' counsel, Jennifer McCoy begins cross examination of witness, Linda Thomas.
11:47 a.m.	Pass the witness. Defendant Rodgers' counsel, Brian Poe begins cross examination of witness, Linda Thomas.
11:52 a.m.	Pass the witness. Court polls the jury for questions of the witness. Bench conference.
11:54 a.m.	Court asks the questions from the jury of the witness.
12:01 p.m.	Government AUSA Rachel Kroll follow up and refers the witness, Linda Thomas to Government Exhibit 50.
12:05 a.m.	Pass the witness. Defendant Jindals' counsel, Jennifer McCoy begins follow up examination of witness, Linda Thomas.
12:05 p.m.	Pass the witness. Defendant Rodgers' counsel, Brian Poe begins follow up examination of witness, Linda Thomas.
12:07 p.m.	Witness excused today but subject to recall.
12:08 p.m.	Jury excused for lunch.
12:10 p.m.	Court recess for lunch.

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1:15 p.m.	Court re-convened. Jury seated.
1:17 p.m.	Government AUSA Matthew Lunder calls Special Agent Jeff Pollack. Witness placed under oath. Government AUSA Matthew Lunder begins direct examination of Special Agent Jeff Pollack.
1:23 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibits 71A-71G and Government Exhibit 75. No objection. Exhibits 71A-71G and Government Exhibit 75 are admitted.
1:24 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibits 72A-72B. No objection. Exhibits 72A-72B are admitted.
1:25 p.m.	Government AUSA Matthew Lunder refers witness, Special Agent Jeff Pollack to Government Exhibit 22.
1:28 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibit 200. No objection. Government Exhibit 200 is admitted.
1:40 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibits 63A-63F. No objection. Government Exhibits 63A-63F are admitted.
1:50 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibit 201. No objection. Government Exhibit 201 is admitted.
2:16 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibit 202. No objection. Government Exhibit 202 is admitted.
2:19 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibit 203. No objection. Government Exhibit 203 is admitted.
2:23 p.m.	Government AUSA Matthew Lunder refers witness, Special Agent Jeff Pollack to Government Exhibits 9, 12, and 13.
2:34 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibit 204. No objection. Government Exhibit 204 is admitted.
2:35 p.m.	Government AUSA Matthew Lunder moves to admit Government Exhibit 205. No objection. Government Exhibit 205 is admitted.
2:58 p.m.	Government AUSA Matthew Lunder refers witness, Special Agent Jeff Pollack to Government Exhibits 201, 203, 205, 63C, 7, 1, and 4.
3:06 p.m.	Jury excused for break.
3:07 p.m.	Court recess for 15 minutes.

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3:25 p.m.	Court re-convened. Jury seated. Government AUSA Matthew Lunder continues direct examination of Special Agent Jeffrey Pollack and refers witness to Government Exhibit 201.
3:32 p.m.	Pass the witness. Defendant Jindals' counsel, Paul Coggins begins cross examination of Special Agent Pollack.
3:35 p.m.	Bench conference.
3:39 p.m.	Defendant Jindals' counsel, Paul Coggins continues cross examination of Special Agent Pollack and refers Agent to Government Exhibit 21.
3:42 p.m.	Bench conference.
3:45 p.m.	Defendant Jindals' counsel, Paul Coggins continues cross examination of Special Agent Pollack.
3:48 p.m.	Bench conference.
3:51 p.m.	Defendant Jindals' counsel, Paul Coggins continues cross examination of Special Agent Pollack and refers Agent to Government Exhibit 32A and Government Exhibit 203.
4:08 p.m.	Bench conference.
4:09 p.m.	Defendant Jindals' counsel, Paul Coggins continues cross examination of Special Agent Pollack and refers Agent to Government Exhibits 200, 201, 4.
4:54 p.m.	Defendant Jindals' counsel, Paul Coggins refers witness to Government Exhibit 96.
4:57 p.m.	Defendant Jindals' counsel, Paul Coggins moves to admit Government Exhibit 96. Government objection. Court will admit pages or excerpts that the Defendant wants to use but will not allow the entire transcript to be admitted. Government Exhibit 96 is not admitted.
4:59 p.m.	Pass the witness.
4:59 p.m.	Jury excused.
5:00 p.m.	Court hears from Government AUSA Jariel Rendell regarding Special Agent Pollack communicating with the Government over the weekend. AUSA Jariel Rendell discusses the no direct use issue. Court hears response from Defendant Rodgers' counsel, Brian Poe regarding Jindals' hearing transcript (Government Exhibit 96). Court does not see a need to give the whole transcript. Court will submit all the pages both sides think are necessary. It is not optional completeness to submit the whole transcript. Court hears from AUSA Jariel Rendell regarding Federal Rule of Evidence 106. Court hears from Defendant Jindals' counsel, Jennifer McCoy regarding transcript of Yarbray and the difference between the Defendants' transcripts. Court will review over the weekend.

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5:10 p.m.	Parties discuss the remaining witnesses and timing of the trial. Court advises Parties that the Court ruled on the pending motion to quash.
5:11 p.m.	Court adjourned.

DAVID O'TOOLE, CLERK

BY: Keary Conrad
Courtroom Deputy Clerk